

**Amendment No. 2 to HB0653**

**Fitzhugh  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 611\***

**House Bill No. 653**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-914(a), is amended by deleting the last sentence of the subsection and by substituting instead the following sentences:

Subject to the amounts appropriated by the general assembly, and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible four-year postsecondary institution shall be four thousand dollars (\$4,000) for full-time attendance for the 2007-2008 academic year. For academic years subsequent to the 2007-2008 academic year, the amount of such scholarship shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 2. Tennessee Code Annotated, Section 49-4-914(b), is amended by deleting the last sentence of the subsection and by substituting instead the following sentences:

Subject to the amounts appropriated by the general assembly, and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee HOPE scholarship awarded to a student attending an eligible two-year postsecondary institution shall be two thousand dollars (\$2,000) for full-time attendance for the 2007-2008 academic year. For academic years subsequent to the 2007-2008 academic year, the amount of such scholarship shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

SECTION 3. Tennessee Code Annotated, Section 49-4-921, is amended by

deleting the last sentence of subsection (f) and substituting instead the following sentences:

Subject to the amounts appropriated by the general assembly, and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Wilder-Naifeh technical skills grant awarded under this section shall be two thousand dollars (\$2,000) for full-time attendance for the 2007-2008 academic year. For academic years subsequent to the 2007-2008 academic year, the amount of such scholarship shall be determined in accordance with § 4-5-111, and shall be set in the general appropriations act.

SECTION 4. Tennessee Code Annotated, Section 49-4-902, is amended by deleting subdivision (19) in its entirety and by substituting instead the following:

(19) "Grade point average" means the numbered grade average calculated using a 4.0 scale as reported by the high school;

SECTION 5. Tennessee Code Annotated, Section 49-4-902, is further amended by deleting subdivision (22) in its entirety and substituting instead the following:

(22) "Nontraditional student" means a student who is at least twenty-three (23) years of age, who has not previously been a recipient of a Tennessee HOPE scholarship and who enrolls in an eligible postsecondary institution:

(A) As an entering freshman; or

(B) At least two (2) years after last attending any eligible postsecondary institution or a regionally accredited postsecondary institution located outside of Tennessee;

SECTION 6. Tennessee Code Annotated, Section 49-4-902, is further amended by adding the following as new, appropriately designated subdivisions:

( ) "Cost of attendance" means the combined cost of tuition, mandatory fees, room and board, books and other educational expenses as determined by the financial aid office of the eligible postsecondary institution;

( ) "Cumulative grade point average" means the cumulative grade point average reported to the corporation by the postsecondary institution at which the student last received the scholarship, as calculated by the institution to be consistent with the institution's policy;

( ) "Expected family contribution" or "EFC" means the amount that a student and the student's family are expected to contribute toward the cost of the student's education determined by applying the federal methodology to the information provided on the student's FAFSA;

( ) "Gift aid" means scholarships and grants from any source, including funds provided through the federal Foster Care Independence Act of 1999 and other similar programs. Student loans and work-study awards shall not be considered gift aid;

SECTION 7. Tennessee Code Annotated, Section 49-4-915(a)(2), is amended by deleting the language "thirty-six thousand dollars (\$36,000)" and substituting instead the language "forty thousand dollars (\$40,000)".

SECTION 8. Tennessee Code Annotated, Section 49-4-920(a), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) Meet the requirements of §49-4-915(a)(2);

SECTION 9. Tennessee Code Annotated, Section 49-4-931(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) Meet the requirements of § 49-4-915(a)(2);

SECTION 10. Tennessee Code Annotated, Section 49-4-906, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-4-906. Except for the ASPIRE award under § 49-4-915, the Tennessee HOPE access grants under § 49-4-920 and the Tennessee HOPE scholarship for nontraditional students under § 49-4-931, eligibility for scholarships or grants awarded under this part shall not be restricted or limited by the adjusted gross income attributable to the student or the EFC attributable

to the student. Students applying for an ASPIRE award, a Tennessee HOPE access grant or a Tennessee HOPE scholarship for nontraditional students shall file a FAFSA with TSAC.

SECTION 11. Tennessee Code Annotated, Section 49-4-915(a), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2)

(A) Have an adjusted gross income attributable to the student that does not exceed forty thousand dollars (\$40,000); or

(B) Have an EFC attributable to the student that does not exceed the maximum EFC required for Pell grant eligibility.

SECTION 12. Tennessee Code Annotated, Section 49-4-915(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) The adjusted gross income attributable to the student and the EFC attributable to the student shall be reviewed each academic year to determine continuing eligibility for the ASPIRE award.

SECTION 13. Tennessee Code Annotated, Section 49-4-909(a)(5), is amended by deleting the language "for the total number of semester hours that the student has attempted at any postsecondary institution".

SECTION 14. Tennessee Code Annotated, Section 49-4-911, is amended by deleting the section in its entirety and by substituting instead the following:

(a) To continue to receive a Tennessee HOPE scholarship, a student at an eligible postsecondary institution shall continue to meet all applicable requirements for the scholarship and shall reapply for the scholarship each academic year. At the end of each academic year, prior to the student receiving a baccalaureate degree or reaching the maximum number years for which a scholarship shall be funded under § 49-4-913, the student shall have achieved a cumulative grade point average of at least 2.75 to continue to receive the Tennessee HOPE scholarship.

(b) A student receiving a Tennessee HOPE scholarship, who ceases to be academically eligible for the scholarship because the student fails to achieve the cumulative grade point average required at the end of an academic year may regain the HOPE scholarship, if the student continues to meet all applicable nonacademic requirements for the scholarship, attends an eligible postsecondary institution without the HOPE scholarship, achieves the required cumulative grade point average at the end of any semester, and reapplies for the scholarship. A student who regains the scholarship and then loses the scholarship a second time, by failing to achieve the required cumulative grade point average at the end of any academic year, may not regain the scholarship. No retroactive award of a Tennessee HOPE scholarship shall be made under this subsection (b) for semester hours attempted in order to regain the scholarship.

(c) If a student ceases to be eligible for postsecondary financial assistance from net lottery proceeds at any time, for any reason other than failure to maintain the required cumulative grade point average, then the student shall not be able to regain a Tennessee HOPE scholarship.

SECTION 15. Tennessee Code Annotated, Section 49-4-916(e), is amended by deleting the word "semester" in the first sentence of the subsection and by substituting instead the words "academic year".

SECTION 16. Tennessee Code Annotated, Section 49-4-920(b), is amended by deleting the first sentence of subdivision (1) and by substituting instead the following:

A Tennessee HOPE access grant shall be awarded to an eligible student only until the end of the semester in which the student has completed the first full-time equivalent academic year.

SECTION 17. Tennessee Code Annotated, Section 49-4-920(e), is amended by deleting the subsection in its entirety and by substituting instead the following:

(e)

(1) TSAC shall review a student's eligibility at the end of the first

full-time equivalent academic year of enrollment. If a student receiving a Tennessee HOPE access grant has achieved the cumulative grade point required under §49-4-911 at the end of the first full-time equivalent academic year of enrollment, then the student shall be eligible for a Tennessee HOPE scholarship. If the student meets the requirements of § 49-4-915(a)(2), the student shall be eligible for an ASPIRE award.

(2) If a student receiving a Tennessee HOPE access grant does not achieve the cumulative grade point average required under §49-4-911 at the end of the first full-time equivalent academic year of enrollment, but the student, without financial assistance from lottery proceeds, continues to attend an eligible postsecondary institution and achieves the cumulative grade point average required under § 49-4-911 at the end of another academic year, then the student shall be eligible for a Tennessee HOPE scholarship, if the student meets all other applicable requirements. If, at such time, the student meets the requirements of § 49-4-915(a)(2), the student shall be eligible for an ASPIRE award.

SECTION 18. Tennessee Code Annotated, Section 49-4-920(f), is amended by deleting subdivisions (1), (2) and (3) in their entireties and by substituting instead the following:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 19. Tennessee Code Annotated, Section 49-4-929, is amended by deleting subsections (c) and (e) in their entireties and by substituting instead the following:

- (c) If the student transfers to an eligible postsecondary institution, then the student shall have the cumulative grade point average required under § 49-4-911 at the time of transfer to be eligible academically for the Tennessee HOPE

scholarship.

(e) A student who is eligible for a Tennessee HOPE scholarship under this section, and who also meets the qualifications for a General Assembly Merit Scholar supplemental award, shall be eligible for such supplemental award. A student who meets the requirements of § 49-4-915(a)(2) shall be eligible for an ASPIRE award for need. Pursuant to § 49-4-917, a student may not receive both the ASPIRE award for need and the supplemental award as a General Assembly Merit scholar.

SECTION 20. Tennessee Code Annotated, Section 49-4-930, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Semester hours attempted under a dual enrollment grant shall not count, under § 49-4-913, toward the limitation on the receipt of a Tennessee HOPE scholarship.

SECTION 21. Tennessee Code Annotated, Section 49-4-931(a), is amended by deleting subdivision (4) in its entirety and by substituting instead the following:

(4) Attend an eligible postsecondary institution and attempt at least twelve (12) semester hours;

SECTION 22. Tennessee Code Annotated, Section 49-4-931, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) A nontraditional student shall be eligible for a Tennessee HOPE scholarship at the end of the semester in which the student has attempted twelve (12) semester hours, if the student has a cumulative grade point average of at least 2.75. A nontraditional student who does not achieve the cumulative grade point average of at least 2.75 at the end of the semester in which the student has attempted twelve (12) semester hours shall be eligible for a Tennessee HOPE scholarship, if the student achieves the cumulative grade point average required under § 49-4-911 at the end of any subsequent academic year.

SECTION 23. Tennessee Code Annotated, Section 49-4-913, is amended by

the section in its entirety and by substituting instead the following:

Except as set forth in §§ 49-4-930 , 49-4-931 and 49-4-937, a student may receive a Tennessee HOPE scholarship until the first of the following events:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 24. Tennessee Code Annotated, Section 49-4-919(a), is amended by deleting subdivisions (1), (2) and (3) in their entireties and by substituting instead the following:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 25. Tennessee Code Annotated, Section 49-4-937(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) Enrollment at a Tennessee technology center by a student working towards a diploma before receiving a Tennessee HOPE scholarship, General Assembly Merit Scholarship, or Tennessee HOPE access grant under the provisions of this section shall not count under the provisions of § 49-4-913 or § 49-4-920 towards the limitation on receipt on a Tennessee HOPE scholarship, General Assembly Merit Scholarship, or Tennessee HOPE access grant.

SECTION 26. Tennessee Code Annotated, Section 49-4-912(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) Tennessee HOPE scholarship students may enroll as full-time students or part-time students at an eligible postsecondary institution. A student who enrolls as a full-time student at the beginning of a semester may drop to part-time status one (1) time; provided, that continuous enrollment is maintained in that semester. TSAC shall promulgate rules and regulations for attendance as



a part-time student and payment of awards to part-time students. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 27. Tennessee Code Annotated, Section 49-4-933, is amended by deleting subsection (f) in its entirety and substituting instead the following:

(f) The Tennessee HOPE foster child tuition grant shall be the cost of attendance less any gift aid, with the total HOPE foster child tuition grant amount not to exceed the cost of tuition and mandatory fees at the eligible postsecondary institution attended. Additionally, at an eligible independent postsecondary institution, the Tennessee HOPE foster child tuition grant shall not exceed the statewide average public tuition and mandatory fee rate for the type of institution (two-year or four-year) attended.

SECTION 28. Tennessee Code Annotated, Section 49-4-933, is further amended by deleting subsection (e) in its entirety:

SECTION 29. Sections 27 and 28 of this act that amend § 49-4-933 are declared to be remedial in nature and to that end shall apply to all Tennessee HOPE foster child tuition grant awards made on or after July 1, 2006.

SECTION 30. Tennessee Code Annotated, Section 49-4-934(a), is amended by deleting subdivisions (1) and (2) in their entireties and by substituting instead the following:

(1) Graduate from a high school in the foreign nation where the student's parent is a religious worker and, if the high school is:

(A) Accredited by a regional accrediting association, meet the academic eligibility requirements of § 49-4-907(3); or

(B) Not accredited by a regional accrediting association, meet the academic eligibility requirements of § 49-4-908(2)(A); or

(2) Complete high school in a home school in the foreign nation where the student's parent is a religious worker and meet the academic eligibility requirements of § 49-4-908(2)(B).

SECTION 31. A student may apply for the retroactive award of a Tennessee HOPE scholarship for any semester of the 2005-2006 or 2006-2007 academic years in which the student would have qualified for a scholarship under the provisions of Section 4 of Chapter 974 of the Public Acts of 2006 as amended by Section 30 of this act, had the provisions of this act been in effect during those academic years. TSAC may award the scholarship retroactively for those academic years to any student who would have qualified for the scholarship had the provisions of this act been in effect.

SECTION 32. Tennessee Code Annotated, Section 49-4-930, is amended by adding the following language at the end of subsection (b):

A student may receive a dual enrollment grant for no more than six (6) courses. Such courses shall be taken during the junior and senior years of high school.

SECTION 33. Tennessee Code Annotated, Section 49-4-931(a), is further amended by deleting subdivision (6) and substituting instead the following:

(6) Maintain continuous enrollment at the eligible postsecondary institution attended after entering such institution as a nontraditional student; and

SECTION 34. Tennessee Code Annotated, Section 49-4-931, is further amended by deleting subsection (c) in its entirety and substituting instead the following sentence:

(c)

(1) To continue to receive a Tennessee HOPE scholarship, such student shall meet the requirements of § 49-4-911, except that only semester hours attempted as a nontraditional student shall be used in computing the cumulative grade point average to determine whether a student continues to be eligible to receive a scholarship.

(2) A HOPE scholarship awarded under this section shall be subject to the provisions of § 49-4-913, except that only enrollment as a nontraditional student shall be used in determining whether a student continues to be eligible to receive the scholarship.

SECTION 35. Tennessee Code Annotated, Section 49-4-936, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) To be eligible for a Tennessee HOPE teacher's scholarship, a teacher shall:

(1) Be a licensed Tennessee teacher teaching in a Tennessee public school system or a Tennessee private school;

(2) Not be ineligible for the scholarship under § 49-4-904;

(3) Meet the requirements of § 49-4-905(a). The provisions of § 49-4-905(b) shall not apply to teachers seeking Tennessee HOPE teacher's scholarships;

(4) Be admitted to and attend an eligible postsecondary institution seeking an advanced degree in mathematics or a science, or certification to teach mathematics or a science;

(5) Maintain satisfactory progress in the teacher's program of study;

(6)

(A) Agree to teach mathematics or a science in a Tennessee public school system two (2) academic years for each year of funding provided by a Tennessee HOPE teacher's scholarship. This subdivision (A) shall apply to licensed Tennessee teachers who qualify for the Tennessee HOPE teacher's scholarship as teachers in a Tennessee public school system and to licensed Tennessee teachers who qualify for the Tennessee HOPE teacher's scholarship as teachers in a

Tennessee private school, but who agree to fulfill their teaching obligation in a Tennessee public school system; or

(B) Agree to teach mathematics or a science in a Tennessee private school two (2) academic years for each year of funding provided by a Tennessee HOPE teacher's scholarship and to participate as required by TSAC and the department of education in a LEA assistance program. This subdivision (B) shall only apply to teachers who qualify for the Tennessee HOPE teacher's scholarship as licensed Tennessee teachers teaching in Tennessee private schools and who choose to fulfill their teaching obligation in a Tennessee private school;

(7) Sign a promissory note that stipulates the cash repayment obligation incurred if the required teaching or participation service is not fulfilled. If a teacher fails to teach mathematics or a science in a Tennessee school for the number of years required to fulfill the teacher's obligation or fails to complete the amount of participation service required to fulfill the teacher's obligation pursuant to the award of a Tennessee HOPE teacher's scholarship, then all funds obtained from the award of the scholarship shall be repaid; provided, however, that no repayment shall be due, if TSAC finds that it is impossible for the teacher to fulfill the teacher's obligation because of the death or permanent disability of the teacher; and

(8) Apply for a Tennessee HOPE teacher's scholarship.

SECTION 36. Tennessee Code Annotated, Section 49-4-936, is amended by inserting the following language as a new subsections (e) and (f) and by redesignating the subsequent subsection accordingly:

(e) As used in this section, unless the context otherwise requires, "private school" means a school as defined in § 49-6-3001(c)(3)(A)(i) and (iii).

(f)

(1) The commissioner of education shall promulgate rules and regulations for the establishment of LEA assistance programs and to otherwise effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5. Notwithstanding the provisions of §§ 4-5-208 and 4-5-209 or any other provision of law to the contrary, the commissioner of education is authorized to promulgate public necessity rules and emergency rules to implement the provisions of section. Such programs shall include activities related to mathematics and science through which licensed private school teachers may satisfy the requirements of subdivision (a)(6)(B). Such activities shall include, but not be limited to, one-on-one tutoring of public school students, manning homework hotlines for public schools, substitute teaching in public schools, summer school teaching in a public school, mentoring novice or struggling public school teachers, and developing and delivering professional staff development for public school inservice programs. The department of education, with TSAC's approval, shall set the requirements for the length of time that such activities shall be performed in order for such teachers to fulfill their obligation to participate in LEA assistance programs. LEAs may establish assistance programs that conform to such rules and regulations.

(2) TSAC is authorized to promulgate rules and regulations to establish methods for documenting participation in LEA assistance programs and to otherwise effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5. Notwithstanding the provisions of §§ 4-5-208 and 4-5-209 or any other

provision of law to the contrary, TSAC is authorized to promulgate public necessity rules and emergency rules to implement the provisions of section.

SECTION 37. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§ 49-4-9\_\_.

(a) Notwithstanding any other provision of this part to the contrary, a student who as an entering freshman meets all nonacademic requirements for a Tennessee HOPE scholarship, but the student does not meet the requirements of § 49-4-907(3) or § 49-4-908(2), as applicable to the method by which the student completed high school, shall be eligible for a Tennessee HOPE scholarship at the end of any academic year at which the student achieves a cumulative grade point average of at least 2.75 and the student meets all applicable general requirements for the scholarship.

(b) No retroactive award of a Tennessee HOPE scholarship shall be made under this section.

SECTION 38. Tennessee Code Annotated, Section 49-4-926(c), is amended by deleting subdivision (1) in its entirety and substituting instead the following:

(1) Dependent children of members of the armed forces or Tennessee national guard whose home of record, at the date of application for financial assistance, is determined to be Tennessee; and

SECTION 39. Tennessee Code Annotated, Section 49-4-914, is amended by adding the following language as a new, appropriately designated subsection:

( ) Notwithstanding the provisions of subsection (b) to the contrary, beginning with the 2007-2008 academic year and for academic years thereafter, the amount of a Tennessee HOPE scholarship awarded to a student attending an eligible two-year postsecondary institution who resides in on-campus housing

shall be the same as the amount of a Tennessee HOPE scholarship awarded to students attending eligible four-year postsecondary institutions.

SECTION 40. Tennessee Code Annotated, Section 49-4-902 is amended by adding the following as new appropriately designated subdivisions

( ) "Public community college" means an eligible two-year postsecondary institution operated by the Tennessee board of regents that is denoted as a community college or a technical community college;

( ) "Tennessee free community college scholarship" means the scholarship that is awarded under § 49-4-938 and is funded from net proceeds of the state lottery;

SECTION 41. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following as a new section:

§ 49-4-938.

(a) This section shall be known and may be cited as the "Tennessee Education Lottery Scholarship Free Community College Program".

(b) To be eligible for a Tennessee free community college scholarship as an entering freshman, a student shall:

(1) Meet the requirements of §§ 49-4-904 and 49-4-905;

(2) Be admitted to and enroll in an eligible Tennessee public community college no later than sixteen (16) months after graduation from high school;

(3)

(A) Attain an ACT composite score of at least 19;

(B) Attain an ACT English score of at least 19; and

(C) Attain an ACT mathematics score of at least 19;

and

(4) Apply for all available nonrepayable financial aid.

(c) To remain eligible to receive the scholarship, a student shall continue to meet all applicable requirements for the scholarship and shall reapply as required for Tennessee HOPE scholarships. At any time continuing academic eligibility is checked under §49-4-911, a student receiving the Tennessee free community college scholarship shall achieve a cumulative grade point average of at least 2.5.

(d) A student may receive a Tennessee free community college scholarship until the first of the following events:

(1) The student has earned an associate degree; or

(2) The student has received the scholarship for a total of sixty (60) credit hours.

(e) Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Tennessee free community college scholarship shall cover the cost of maintenance fees and other mandatory fees.

(f)

(1) Except as provided in subdivision (2), the award of a Tennessee free community college scholarship shall be in lieu of any Tennessee HOPE scholarship for which the student would otherwise be eligible.

(2) A student, who receives an associate degree under this program and achieves the cumulative grade point average required under § 49-4-911 for continuation of a Tennessee HOPE scholarship at the end of the semester in which the student receives the associate degree, may apply for a Tennessee HOPE scholarship to attend an eligible four-year postsecondary institution seeking a baccalaureate degree. Such student shall



meet all applicable general requirements for the Tennessee HOPE scholarship and shall apply for the Tennessee HOPE scholarship and be admitted to and enroll in an eligible four-year postsecondary institution within one (1) year of receiving an associate degree.

(g) TSAC shall promulgate rules and regulations as necessary for implementation of this program. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 42. Tennessee Code Annotated, Section 49-4-902, is amended by deleting in existing subdivision (20), which is the definition of "home school student", the language "two (2) years" in the second sentence and by substituting instead the language "one (1) year".

SECTION 43. Tennessee Code Annotated, Section 49-4-908, is amended by deleting subdivision (2) and by substituting instead the following:

(2)

(A) Attain a composite ACT score of at least 21 on any single ACT test date or a combined SAT score of at least 980 on any single SAT test date, if such student graduated from a high school located in Tennessee that is not an eligible high school;

(B)

(i) Attain a composite ACT score of at least 21 on any single ACT test date or a combined SAT score of at least 21 on any single SAT test date, if such student completed high school in a Tennessee home school program and was a student in a Tennessee home school program for two (2) or more years immediately preceding completion of high school; or

(ii) Attain a composite ACT score of at least 25 on any single ACT test date or a comparable combine SAT score as determined by TSAC on

any single SAT test date, if such student completed high school in a Tennessee home school program and was a student in a Tennessee home school program for less than two (2) years immediately preceding completion of high school; or

(C) Pass the GED tests with an average score of at least 525 and attain a composite ACT score of at least 21 on any single ACT test date or a combined SAT score of at least 980 on any single SAT test date, if such student obtained a GED; and

SECTION 44. Tennessee Code Annotated, Section 49-4-909(a)(2), is amended by deleting subdivision (B) in its entirety and by substituting instead the following:

(B)

(i) Meet the requirements of § 49-4-908(2)(A), if the student graduated from a high school located in Tennessee that is not an eligible high school;

(ii) Meet the requirements of § 49-4-908(2)(B), if the student completed high school in a Tennessee home school program; or

(iii) Meet the requirements of § 49-4-908(2)(C), if the student obtained a GED;

SECTION 45. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 46. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 47. Section 5, Sections 7 through 9, Sections 13 through 26, Sections 32 through 34, Sections 37 through 39, and Sections 42 through 44 of this act shall take effect upon becoming law, the public welfare requiring it, and shall apply to students

seeking postsecondary financial assistance from net lottery proceeds for the 2007-2008 academic year. Sections 10 through 12 of this act shall take effect July 1, 2008, the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for the 2008-2009 academic year and academic years thereafter. Sections 40 and 41 of this act shall take effect July 1, 2007, the public welfare requiring it. All remaining sections of this act shall take effect upon becoming law, the public welfare requiring it.